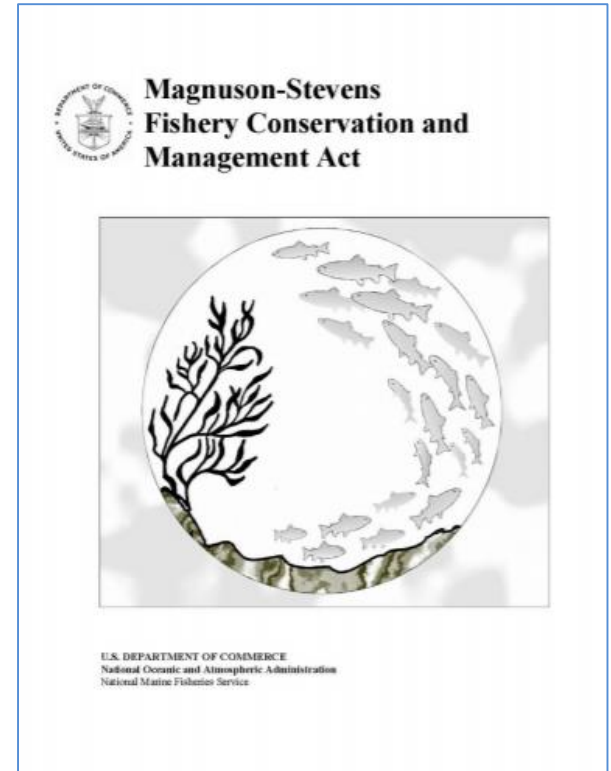




Introduction to the Magnuson-Stevens Act (MSA)

Learning Objectives

- State the MSA's fishery management mission
- Understand the MSA's unique approach to fishery management
- Identify the 10 National Standards
- Locate key MSA requirements and guidance material
- <https://www.fisheries.noaa.gov/resource/document/magnuson-stevens-fishery-conservation-and-management-act>



The Mission | “The Congress finds and declares....”

“A national program for the conservation and management of the fishery resources of the United States is necessary to prevent overfishing, to rebuild overfished stocks, to insure conservation, to facilitate long-term protection of essential fish habitats, and to realize the full potential of the Nation’s fishery resources.”

The History | Pre-1976

- Natural resource management and environmental movement
- Number of public laws and agencies
- Multiple Use Sustained Yield Act (1960)
- National Environmental Policy Act (1969)
- Clean Air Act (1970)
- Clean Water Act (1972)
- Marine Mammal Protection Act (1972)
- Endangered Species Act (1973)



Architect of the Capitol

The History | Pre-1976

- State fisheries management and territorial waters (0-12 miles)
- > 12 mi massive foreign fleet fishing virtually unregulated



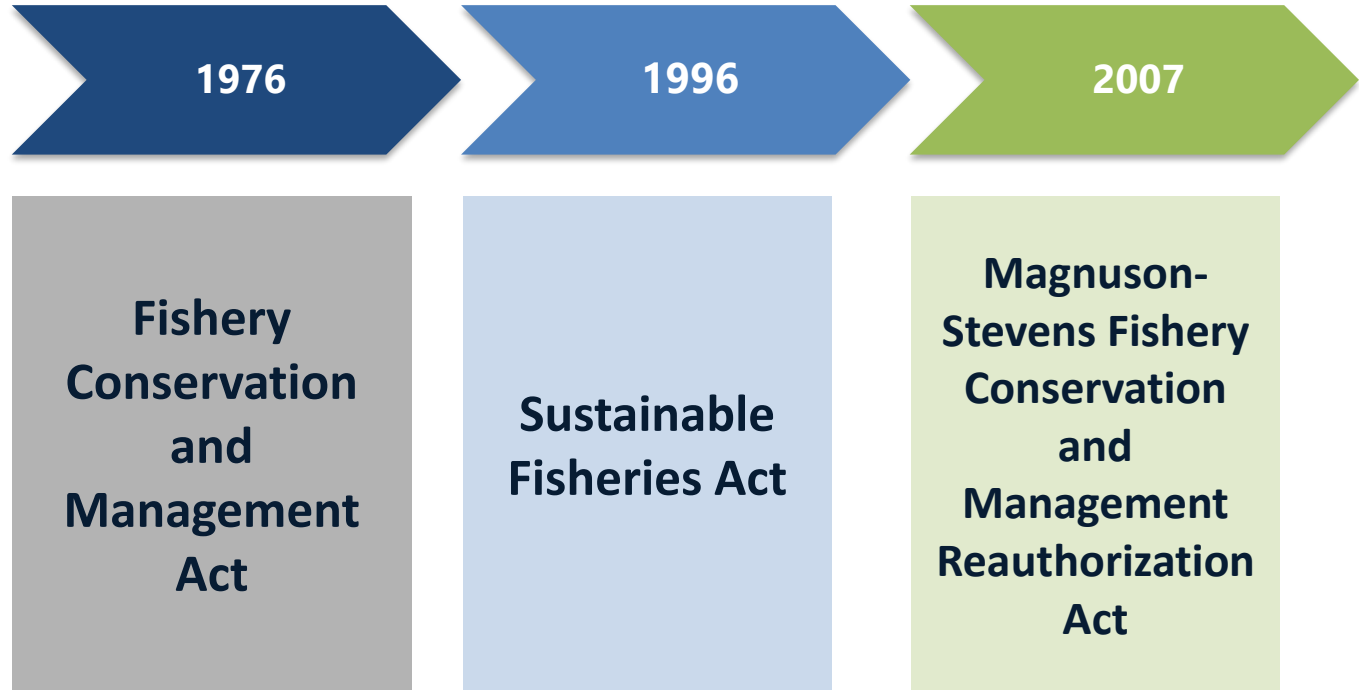


Magnuson and Stevens

Fisheries Conservation and Management Act (1976)

- Expanded Federal Jurisdiction – Exclusive Economic Zone
- Established National Standards
- Created the [Councils](#) (NOAA Fisheries/Councils Process)
- Requirements for Fishery Management Plans (FMPs)
 - Consistent with National Standards
 - Mandatory and Discretionary Components
 - Relation to other applicable laws (OALs)
 - Secretarial Review
- Special Provisions

History of the MSA



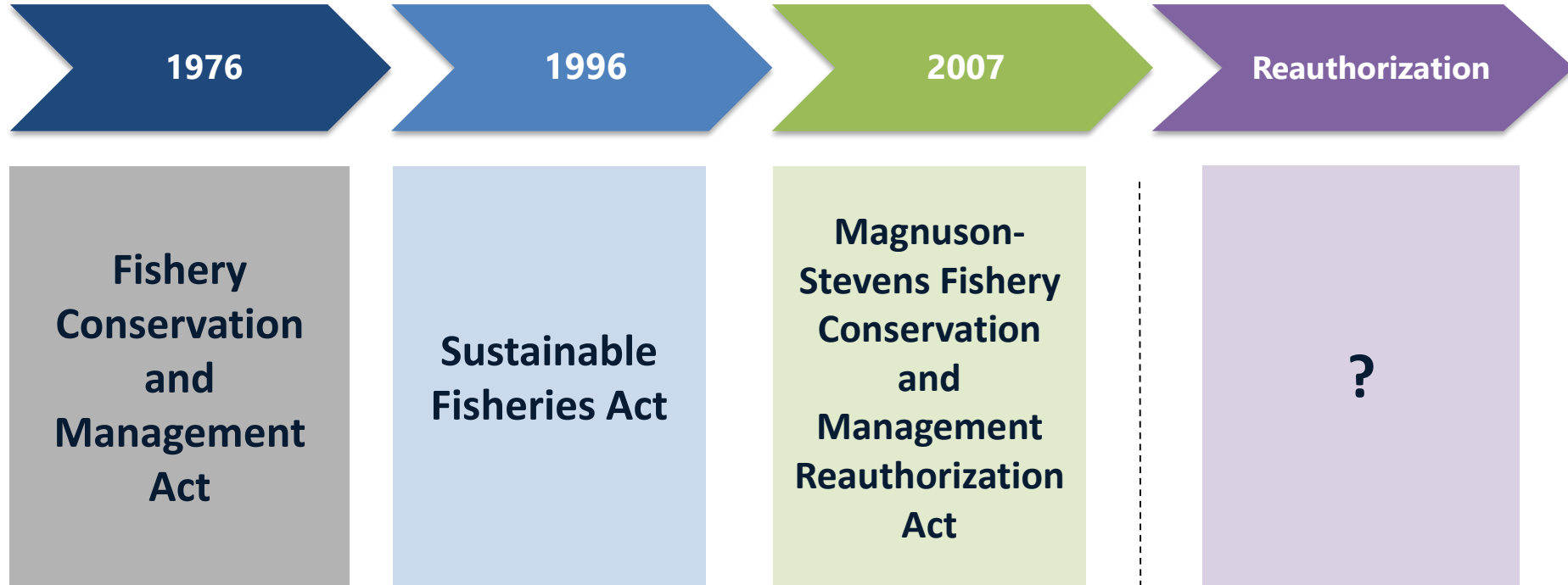
- Required time certain stock rebuilding
- Specific stock status determination criteria (MFMT; MSST)
- OY cannot exceed MSY
- Added 3 national standards
- Essential Fish Habitat (Designations and Consults)



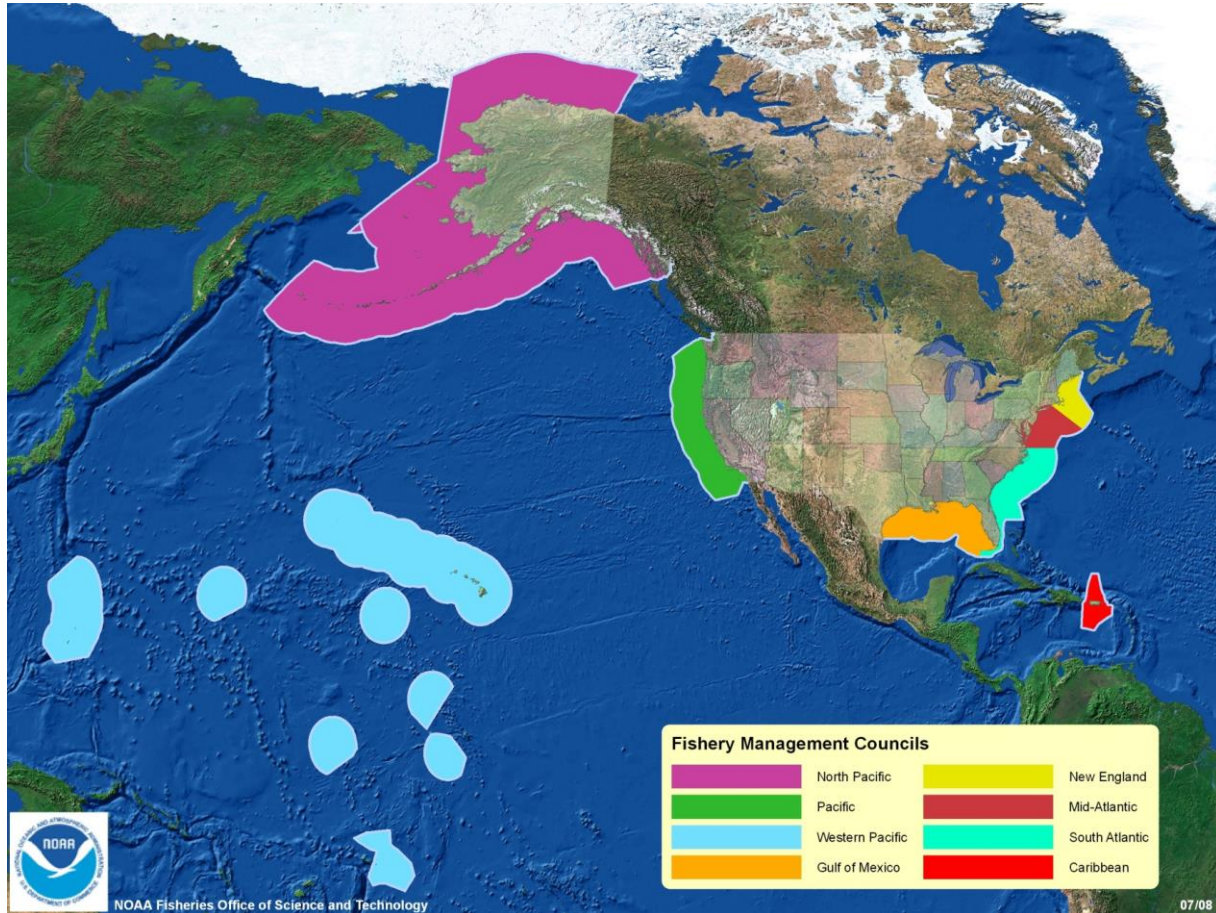
- Emphasis on accountability and science
- End overfishing immediately
- Annual catch limits (ACLs) and accountability measures (AMs)
- Strengthened role of Scientific and Statistical Committees (SSCs)



History of the MSA



Regional Fishery Management Councils



National Standards | In Brief

- Prevent overfishing while achieving optimum yield
- Use best scientific information available
- Manage individual stocks throughout their range
- Allocation of privileges to fish must be fair and equitable
- No such measure shall have economic allocation as its sole purpose
- Allow for variation among the contingencies in fisheries, fishery resources, and catches
- Minimize costs, avoid duplication, where practicable
- Account for importance of fishery resources to fishing communities
- Minimize bycatch or mortality from bycatch
- Promote safety of human life at sea

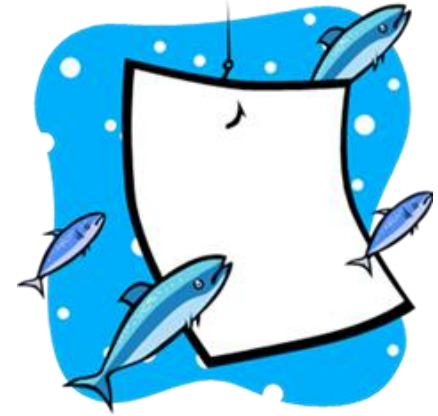
National Standards Guidelines

[http://www.nmfs.noaa.gov/
sfa/laws_policies/msa/](http://www.nmfs.noaa.gov/sfa/laws_policies/msa/)



Other Special Provisions of the MSA

- Secretarial FMPs/Amendments
 - Special secretarial authorities
 - Ending overfishing/overfished stocks
 - Highly Migratory Species
 - A fishery requires action and a Council does not take action
 - A Council action is disapproved/partially disapproved and the Council fails to act



Other Special Provisions of the MSA



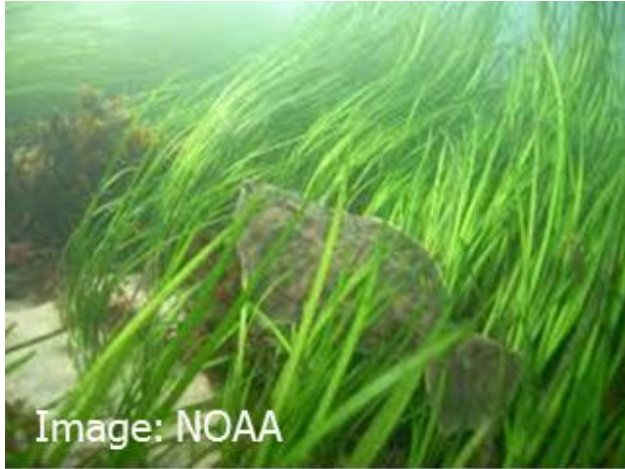
- Highly migratory species (HMS) management
 - Tunas, marlin, oceanic sharks, sailfishes, swordfishes, etc.
 - Secretarial responsibility
 - Consult with Councils
 - Advisory Committees

Other Special Provisions of the MSA

- Emergency actions
 - Unforeseen circumstances and serious fishery issues
 - Benefits must outweigh normal public process
 - Specific criteria: substantial damage and/or loss (ecological, economic, social)



Other Special Provisions of the MSA



- Tribal rights, native customs, indigenous communities
 - Council to the West
 - Recognize the unique needs and circumstances which make fisheries resources important to these groups
- Essential Fish Habitat
- Other good “bits and pieces” in the MSA

Fisheries Governance

- Fisheries governance is a **wicked problem** and a problem of scale
- No one-size-fits-all solutions
- Never actually know when problem is solved – ongoing, intractable, evolving issues

Jentoft & Chuenpagdee 2008



Image Source:

https://www.nrdc.org/sites/default/files/styles/one_half_content/public/media-uploads/blog-ocean-planning.jpg?itok=QXFpIMbK

Fisheries Governance

- National regulatory framework that supports a Council process designed to address issues at appropriate scales
- Strong MSA standards and science-based decisions
- Stakeholder driven solutions
- Evolutionary process
- This is what we do!



Welcome to the Council! Questions?

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